



V.J. ST. PIERRE, JR.
PARISH PRESIDENT

KIM MAROUSEK, AICP
PLANNING DIRECTOR

ST. CHARLES PARISH


DEPARTMENT OF PLANNING & ZONING

14996 RIVER ROAD • P.O. BOX 302, HAHNVILLE, LOUISIANA 70057

(985) 783-5060 • Fax: (985) 783-6447

Website: www.stcharlesparish-la.gov

TO: V.J. St. Pierre, Jr., Parish President

FROM: Kim Marousek, AICP, Director of Planning & Zoning 

SUBJECT: 2012 Annual Report

The Department of Planning & Zoning is the agency responsible for administering the regulation of present land uses, planning future land uses, and for the issuance of building permits and activity permits within St. Charles Parish. The Department also oversees and assists the Planning & Zoning Commission, the Zoning Board of Adjustments and the Coastal Zone Advisory Committee, all of which are public bodies charged with administering land use regulation beyond the Departmental scope. Because the responsibilities are varied, the Department is divided into four sections in order to provide specialized services to the citizenry.

Land Use Planning & Zoning manages land use applications for residential and commercial development, reviews and recommends amendments to the Subdivision and Zoning Ordinance regulations. This section supports both the Planning and Zoning Commission and the Zoning Board of Adjustment by writing staff reports and testifying at public hearings.

Permit Administration is responsible for reviewing applications and issuing construction and permits. Construction permits include requests for new construction, additions to existing structures, accessory structures, mobile homes, and swimming pools. Other permits include requests for home occupations, taxi services, signs, change of use, and change of occupancy. The permitting section also requires compliance with the state and local construction codes.

Code Enforcement enforces the zoning code, grass ordinance, trash and debris ordinance and abatement of unsafe structures. This includes the identification of violations, response to complaints and permit inspection.

Coastal Zone Management monitors and coastal and wetland activities and floodplain management through wetland permit review, wetland mitigation, project administration and wetland and floodplain code enforcement.

The Department of Planning and Zoning experienced an overall increased total level of activity during 2012 when compared to the previous few years. For example, in **Land Use**, the first major subdivision since 2009 was approved for development, adding 36 residential lots to the real estate inventory. The Department also began preparations for the 2 year long Paul Maillard Road Corridor Revitalization Plan by coordinating the selection of a consultant and finalizing the process for beginning the study. In **Permits**, 145 more building permits were processed than in 2011 and this total was the highest since 2008. There were 31 more building permits for housing issued than in 2011 and more permits for residential additions, mobile home and commercial permits as well. **Code Enforcement** responded to more requests for in-field inspections of building activity and complaints reported than reported in 2011. But a greater number of inspected permits remained unresolved (outstanding) than there were in 2011, primarily due to the increased volume of building activity and the increasing number of regulations that builders have to meet. However, more complaints reported to the Department were resolved in 2012, despite there being nearly 300 more complaints in 2012 versus 2011. **Coastal Zone Management** spent a greater part of the year fielding hundreds of calls from citizens seeking flood zone information on FEMA Flood Zone maps that had been forthcoming throughout the year. Also, 2 projects in which the section played a major role in seeing come to fruition sustained severe to total damage as a result of Hurricane Isaac: Wetland Watcher's Park and the Bonne Carre Boat Launch.

Accompanying this memo is a copy of the 2012 Annual Report for the Department of Planning & Zoning. The report covers the following major functions of the Department:

- I. Land Use Planning
 - A. Code Revisions
 - B. Zoning District Changes
 - C. Subdivision Activity
- II. Permitting
 - A. Permits Issued
 - B. Variance Requests
- III. Code Enforcement Activity
- IV. Coastal Zone Management
- V. Other Projects

I. LAND USE PLANNING

As outlined in the Home Rule Charter the Department of Planning & Zoning is the regulatory agency responsible for all land use planning within St. Charles Parish. Departmental staff, the Planning & Zoning Commission, the Zoning Board of Adjustments and the Coastal Zone Advisory Committee in accordance with the Code of Ordinances, administers land use regulation.

A. 2012 Zoning Ordinance and Subdivision Regulation Revisions: Land use regulations are continually evaluated to meet the needs of St. Charles Parish. In 2012, the following amendments to the Code of Ordinance was evaluated by the Department and approved by the St. Charles Parish Council:

- Ordinance 12-2-1: To amend the Code of Ordinances, Chapter 3 Alcoholic Beverages, Section 3-1 (a) to provide for a waiver of the 500 foot restriction, to no less than 300 feet, for alcoholic beverage sales located near certain protected properties.
- Ordinance 12-1-7: To establish a temporary Moratorium on the issuance of Taxicab Licenses (Certificates of Public Need and Convenience) in St. Charles Parish through December 31, 2012.
- Ordinance 12-4-16: To amend the Code of Ordinances Appendix A, Section III to add the definition of “Directional Boring” and “Directional Boring Slurry” Appendix A, Section VI. D [I]. 1. c. Special Permit Uses in the M-1 Zoning District, to allow “Directional Boring Slurry Disposal” as a Special Permit Use.
- Ordinance 12-7-4: To amend the Code of Ordinances Appendix A, Section III Definitions, 1. Accessory building and Appendix A Section VI, zoning district criteria and regulations; to prohibit the placement of storage containers in residential zoning districts.
- Ordinance 12-10-7: To amend the St. Charles Parish Code of Ordinances, Appendix C. Subdivision Regulations, Section II. Subdivision Procedure, C. Minor Resubdivisions, 3. by requiring servitude information to be called out on minor subdivision.

There was also an emergency ordinance (12-9-5) that temporarily (through September 30, 2012) waived local permit fees and some plan review and inspection fees required as a result of damage sustained from Hurricane Isaac.

B. 2012 Zoning District Changes: In addition to revising the text of the Subdivision Regulations and Zoning Ordinance, the Department also processes rezone requests which result in Zoning Map amendments. After Departmental review, these requests are forwarded to the Planning Commission for a recommendation. Afterwards, the case is forwarded to the Council for final vote to approve or deny. Rezoning cases are forwarded to the Council because rezoning is a change to the Zoning Map and thus is an amendment to the Ordinance.

Amendments to the Ordinance can only be made if there is a majority Council vote. In 2012, the Department processed 14 requests for rezoning of property.

Rezoning Cases, 5-Year Trend

Year	Applications Submitted	P&Z Commission Decisions		Parish Council Decisions	
		Approved	Denied	Approved	Denied
2012	14	12	2	12	1
2011	11	8	3	8	2
2010	17	7	8	7	7
2009	23	14	5	12	6
2008	10	3	6	4	1

One (1) case with a recommendation of denial by the Commission was subsequently postponed indefinitely by the Council.

C. 2012 Subdivision Activity: The Department is responsible for administering all residential and commercial land partitions within St. Charles Parish in accordance with the procedures and design standards of the Subdivision Ordinance. Per the Comprehensive Land Use Plan the Parish has approximately 1,200 vacant platted residential lots in the parish that could be developed in the future.

Major Subdivisions: Major subdivisions are any resubdivision actions resulting in more than five (5) lots, and / or containing a proposed street, and / or requiring infrastructure improvements. If infrastructure is required, the action is processed through a formal process consisting of three major steps: Preliminary Plat, Construction Approval, and Final Approval/Dedication of Infrastructure. A developer requests approval of the conceptual design of a subdivision by submitting a Preliminary Plat showing street and lot layout. The Department analyzes the impacts the proposal might have on the surrounding community and infrastructure. When the conceptual design meets the design standards of the Subdivision Regulations, the Planning and Zoning Commission may approve the Preliminary Plat. In the event the concept cannot meet certain design standards, the developer may request a waiver from specific regulations. In this case, the Parish Council also must approve the Preliminary Plat in the form of a Supporting Resolution. Those subdivisions approved by the Commission not requiring infrastructure are forwarded to the Council. If approved by the Council, the subdivision plat is filed with the Clerk of Court.

Once a Preliminary Plat for a subdivision requiring infrastructure is approved, the developer has six months to submit engineering plans to the Department. The plans are forwarded to the following departments: Public Works & Wastewater for review of sewer and drainage infrastructure, Waterworks for review of water plans, Contract Monitor for streetlight plans, and Parks & Recreation for review of the recreation land and fee obligations. After those Directors approve the engineering plans, the developer may request Construction Approval from the Planning and Zoning Commission. When the approval is granted, developers generally begin construction of infrastructure immediately. After building the infrastructure and certifying that it meets the Parish's standards, the developer submits a Final Plat and

formal documents to dedicate the infrastructure for public use. Once the Parish Council accepts this Final Plat and files it with the Clerk of Courts, the developer is then authorized to sell lots.

One subdivision received Final Approval in 2012: Hidden Oaks, Phase II-B in Luling. This development had been constructed to near completion but had lain dormant for several years.

Final Approval With 5-Year Comparison

Year	Subdivisions	Number of Lots
2012	1	36
2011	0	0
2010	0	0
2009	2	53
2008	3	165
2007	6	336

2012 Preliminary Plat and Construction Approvals

One (1) major subdivision received Construction Approval in 2012: *Casa de Killona* with 20 lots. No requests for Preliminary Plat Approval were submitted in 2012.

Minor Subdivisions/Administrative Resubdivisions: The majority of applications received by the Department for land partitions result in five or fewer lots and do not require requiring infrastructure improvements. Subdivision Regulations specifies two procedures for completing these Minor Resubdivisions. The first procedure entails a minor subdivision resulting in a net increase of lots. These require Planning and Zoning Commission approval and Parish President's signature before filing with the Clerk of Court. The Department refers to these as "*minor subdivisions*."

Administrative minor subdivisions do not result in a net increase of lots but creates the same number of or few lots than what originated. These requests typically result in minor adjustments of existing lot lines or result in a net reduction in the number of lots. They do not require public hearing before the Commission; only the signatures from the Planning & Zoning Director and the Parish President before Clerk of Court filing.

Minor Resubdivisions

Resubdivision	Applications Processed	Lots Created or Modified
Minor	16	71
Administrative	19	27
Total	35	98

It should be noted that 37 of the above indicated *minor resubdivision* lots were approved as a result of the need to correct an error in the placement of survey monuments in Lakewood Ridge Subdivision (in Luling) by the surveyor when the subdivision was approved in 2007.

Finally, one *minor resubdivision* application forwarded to the Planning & Zoning Commission was removed from consideration during 2012 and one *minor resubdivision* application was tabled for public hearing in December 2012.

II. PERMITTING

A. Permits issued: As outlined in the Home Rule Charter, the Department of Planning & Zoning is the regulatory agency responsible for the issuance of building permits and activity permits within St. Charles Parish. In 2012 the biggest increase in permits by activity was the number of permits for new residential, 31 more than in 2011. Furthermore, the total number of permits issued in 2012 was the highest total since 2008.

2012 Select Permit Activity with Five Year Comparison

Permit Type	2012 Total	2011 Total	2010 Total	2009 Total	2008 Total	2007 Total
New Residential	98	67	57	108	100	122
Additions	163	145	117	133	172	164
Mobile Homes	61	58	50	64	104	58
Commercial	51	45	40	14	23	12
Industrial	1	2	1	2	1	2
Religious	0	0	2	0	0	0
Multi-Family	0	0	0	0	0	3
Medical	1	2	1	0	0	0
Educational	4	5	5	3	1	0
Swimming Pools	35	38	31	36	37	55
Change of Use	97	127	82	112	102	116
Totals	510	483	386	472	540	503

There were also 92 no fee renovation permits processed in October through December due to damage sustained in Hurricane Isaac. In addition, there was a 2011 moratorium on processing Taxicab Licenses that was extended through 2012. This moratorium was issued by the Parish President so that the Parish can review Chapter 22.5 of the Code of Ordinances and to establish Rules and Regulations for taxicab licensure.

B. Variance Requests: The St. Charles Parish Code of Ordinances states that approval or denial of any permit application shall be based on the compliance with all pertinent regulations. Occasionally, density, spatial or other requirements affect a property adversely, generally because of an irregularity with the property. When enforcement would result in any such unnecessary hardship, the Code stipulates that the property owner may request relief from the Zoning Board of Adjustments (ZBA). The ZBA holds regularly scheduled public meetings to review such requests and decides each case with a majority vote. In 2012 the ZBA considered 30 individual cases requesting variances from the following Code requirements:

2012 Variance Requests Presented to the ZBA

Regulations To:	Total	Approved	Denied
Base Flood Elevation	10	10	0
Setbacks-Rear Yard	9	8	1
Setbacks-Front Yard	5	4	0
Setbacks-Side Yard	3	3	0
Landscaping/Buffer	3	3	0
Lot Area	2	2	0
Driveway Setback/Corner	1	1	0
Fence	1	0	1
Parking	1	1	0
Required Rear Yard	1	1	0

III. CODE ENFORCEMENT

The Department of Planning & Zoning is tasked with enforcing a number of sections of the Parish Code of Ordinances. In order to increase both effectiveness and efficiency within the code enforcement sector of the Department, a geographical district is assigned to each Code Enforcement Officer who responds to all activity within that area. Code Enforcement Officers investigate general nuisance complaints ranging from grass to abandoned automobile concerns and violations. They monitor residential and commercial construction, additions and swimming pool installations as mandated in the Code. Specific activities are detailed in the chart below.

2012 Code Enforcement Activity

Permits Issued by Department, All	1305
Permits Inspected and Finaled	754
Permits Active and Unresolved as of 12/31/12	236
Total Complaints Received	1415
Code Related	468
Grass Related	947
Complaints Resolved	1285
Complaints Active and Unresolved as of 12/31/12	261
On-Site Inspections	4298
Demolition Permits issued	38
Derelict vehicles tagged / removed	47
Illegal signs removed	812
Cases Forwarded to Legal	26
Legal Resolved cases	27

IV. COASTAL ZONE MANAGEMENT

In 2012, the Coastal Zone Management Section assisted, coordinated, managed or oversaw the projects and programs indicated below.

Christmas Tree Collection Project:

The Coastal Zone Management Section completed the 2011/2012 Christmas Tree Project in the Simoneaux Pond Area in Bayou Gauche Area. Approximately 2,200 Christmas Trees were collected and placed in the open water to serve as a wake breaker, and to build land. The trees were placed in the additional pens that were built in last year's project. The project was completed in June 2012. St. Charles Parish has continued the Christmas Tree projects despite the State's abandonment of the program.

Coastal Impact Assessment Program (CIAP):

The Lake Pontchartrain Shoreline Protection Project continued this year with the design and engineering work for the 2 projects. Working with Laplace Consulting Services and Moffat and Nichols, the Pontchartrain Levee District has continued to work on both projects. Permitting for the West LaBranche Shoreline Project was completed in early summer 2012, and the project was put out to bid. The successful bidder was Bertucci Contracting Company, LLC at \$2,777,100.00. The contract was awarded by the Council, and the contractor should begin work in the second week of February, 2013.

The East LaBranche project engineering is complete, and permits applications have been submitted.

Wetland Watchers' Park:

The second Phase of WWP was completed early in 2012 and area schools were able to use the park to its fullest. Swamp Camp saw its first year as a total success. Unfortunately, the Park was severely damaged by Hurricane Isaac in late August and has been closed to the public ever since. FEMA has agreed to fund the restoration of WWP through its Public Assistance Program and Mr. John Campo was hired to complete the design and contract work. The repair work will be out on bid by the end of January 2013 and the work should be complete for a late April 2013 re-opening.

Bonne Carre' Boat Launch Rehabilitation:

The boat launch rehabilitation was completed in early summer of 2012 with the addition of 2 new docks. The ramp itself was stabilized and used "as-is." In addition to the rehab work, the docks had a step-down feature added to increase boat accessibility for patron with more limited mobility. Frickey Brothers completed the work and FEMA has reimbursed the Parish for the expenses.

Digital Flood Insurance Rate (DFIRM) Maps:

St. Charles Parish officially received its new Flood Maps or DFIRMS (Digital Flood Insurance Rate Maps) on December 6, 2012 in a presentation to the Parish President. These maps severely change both building requirements and flood insurance costs for the citizens of the Parish. On the East Bank and in Ama, construction requirements will be reduced and a high percentage of the residents will see a decrease in their flood insurance premiums due to the expanded X-zones. On the West bank, especially in the Des Allemands, Paradis, Bayou Gauche and Mimosa/Lakewood areas, construction requirements will increase to advisory levels and higher, and flood insurance premiums may more than triple. Additionally, the Flood Insurance Reform Act of 2012 made changes to grandfathering policies, making accurate predictions of future flood insurance costs impossible at this time. All these new changes are

based on the adoption of the maps, which are unlikely to be allowed by FEMA until June or July of 2013. In the meantime a series of Public Meetings will be held to try to better inform the Public of the upcoming issues they may face.

V. OTHER PROJECTS

In addition to the regulated responsibilities the Department of Planning & Zoning collaborates with all departments of parish government as we work together to improve life in St. Charles Parish.

Paul Maillard Road Corridor Revitalization Plan

A selection committee of eight reviewed 11 proposals for the Paul Maillard Road Corridor Revitalization Plan and selected the Burk-Kleinpeter team (BKI) which includes Jemison and Partners, Gregory C. Rigamer & Associates, and Alta Planning & Design. An 18 month project calendar and scope of work was arranged during contract negotiations. Contracts with both BKI and the Center for Planning Excellence should be executed in January 2013.

Staff attended a convening of Office of Sustainable Housing and Communities (OSHC) grantees in December and are incorporating best practices and lessons learned from other communities doing similar projects. The Parish also is receiving technical assistance in the form of guidance from an economic development specialist who monitors the project and gives advice through weekly telephone calls and emails. A site visit is tentatively scheduled for February.

Staff is working with project partners and other Parish Departments, like the Public Information Office, who helped design the project kick off, "Paul Maillard Stories," which will encourage citizens to help document the history of the area to inform the planning process.

South Central Regional Construction Code Council

In conjunction Building Code Plan Review and Inspection contract with South Central Regional Planning, the Planning Department represents St. Charles Parish on this Board which is comprised of all Parishes represented by South Central Planning for compliance with Louisiana State Uniform Construction Codes. This board meets quarterly to discuss any issues that arise regarding compliance with construction codes.

GIS

Planning staff completed GIS files for the Parish's zoning and existing land uses in 2012. Beginning in 2010, the GIS-database building turned to verifying and establishing address points for residential and commercial buildings within the Parish. In December 2012, this task neared 90 percent completion. During 2012, public facilities including parks, sewer lift stations, and pump stations were also geo-referenced and addressed by Planner staff. Enough data has now been compiled in the GIS that Planning & Zoning staff can now rely on the GIS as an invaluable tool providing a quicker, easier, and more efficient way to assist those seeking our assistance. In 2013, the attention can now turn to updating any information that is gathered and add addresses as needed or required by the citizens we serve.